

106TH CONGRESS  
1ST SESSION

# H. R. 1725

To provide for the conveyance by the Bureau of Land Management to Douglas County, Oregon, of a county park and certain adjacent land.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 6, 1999

Mr. DEFAZIO (for himself and Mr. WALDEN of Oregon) introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To provide for the conveyance by the Bureau of Land Management to Douglas County, Oregon, of a county park and certain adjacent land.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Miwaleta Park Expan-  
5       sion Act”.

6       **SEC. 2. LAND CONVEYANCE, BUREAU OF LAND MANAGE-**  
7       **MENT LAND, DOUGLAS COUNTY, OREGON.**

8       (a) IN GENERAL.—

9               (1) CONVEYANCE.—The Secretary of the Inte-  
10       rior (referred to in this section as the “Secretary”)

1 shall convey, without consideration, to Douglas  
2 County, Oregon (referred to in this section as the  
3 “County”), all right, title, and interest of the United  
4 States in and to a parcel of land (including improve-  
5 ments on the land) described in paragraph (2) and  
6 consisting of—

7 (A) Miwaleta Park, a county park man-  
8 aged under agreement by the County on Fed-  
9 eral land managed by the Bureau of Land Man-  
10 agement; and

11 (B) an adjacent tract of Federal land man-  
12 aged by the Bureau of Land Management.

13 (2) LEGAL DESCRIPTION.—The parcel of land  
14 referred to in paragraph (1) is the parcel in the SW  
15  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ ; SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of sec. 27,  
16 T31S, R4W, W.M., Douglas County, Oregon, de-  
17 scribed as follows:

18 The property lying between the southerly right-  
19 of-way line of the relocated Cow Creek County  
20 Road No. 36 and contour elevation 1881.5  
21 MSL, comprising approximately 28.50 acres.

22 (b) USE OF LAND.—

23 (1) IN GENERAL.—After conveyance of land  
24 under subsection (a), the County may manage and  
25 exercise any program or policy that the County con-

1       siders appropriate in the use of the land for park  
2       purposes.

3               (2) REVERSIONARY INTEREST.—

4                       (A) IN GENERAL.—If the Secretary deter-  
5                       mines that the land conveyed under subsection  
6                       (a) is not being used for park purposes—

7                               (i) all right, title, and interest in and  
8                               to the land, including any improvements on  
9                               the land, shall revert to the United States;  
10                              and

11                             (ii) the United States shall have the  
12                             right of immediate entry onto the land.

13                       (B) DETERMINATION ON THE RECORD.—

14                       Any determination of the Secretary under sub-  
15                       paragraph (A) shall be made on the record.

16               (c) SURVEY.—The exact acreage and legal descrip-  
17       tion of the land to be conveyed under subsection (a) shall  
18       be determined by a survey satisfactory to the Secretary  
19       and paid for by the County.

20               (d) IMPACT ON FERC WITHDRAWAL.—

21                       (1) IN GENERAL.—The conveyance of land  
22                       under subsection (a) shall have no effect on the con-  
23                       ditions and rights provided in Federal Energy Regu-  
24                       latory Commission Withdrawal No. 7161.

1           (2) CONFLICTS.—In a case of conflict between  
2           the use of the conveyed land as a park and the pur-  
3           poses of the withdrawal, the purposes of the with-  
4           drawal shall prevail.

5           (e) COSTS OF CONVEYANCE.—Except as provided in  
6           subsection (c), costs associated with the conveyance under  
7           subsection (a) shall be borne by the party incurring the  
8           costs.

9           (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-  
10          retary may require such additional terms and conditions  
11          in connection with the conveyance under subsection (a) as  
12          the Secretary considers appropriate to protect the inter-  
13          ests of the United States.

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